

Submission under 37 C.F.R. §1.114
Application No. 10/527,694
Attorney Docket No. 052203

REMARKS

(1) Claims 4, 11, 15 and 16 are pending in this application, of which claims 4 and 11 have been amended, and claims 15 and 16 have been added.

(2) Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nagura et al. (JP 2000-212286).

Claim 4 has been amended to incorporate the limitation that “the crosslinked high-molecular-weight product has a water content of 96 to 98%.” The amendment is supported by Tables 1-5 of the original specification.

The Applicants herewith file a Declaration under 37 CFR §1.132. As shown by the Declaration, Nagura’s gel does not satisfy the claimed water content. Thus, the invention recited in amended claim 4 is not anticipated by Nagura. Withdrawal of the rejection is respectfully requested.

(3) Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nagura et al. (JP 2000-212286) in view of Hermanson (chapter 3, entitled “Zero-Length Cross-Linkers”, of record).

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Claim 11 has been amended to incorporate the limitation that “the crosslinked high-molecular-weight product has a water content of 96 to 98%.” The amendment is supported by Tables 1-5 of the original specification.

As shown in the Declaration under 37 CFR §1.132, Nagura’s gel does not satisfy the claimed water content.

Hermanson does not teach or suggest that the taught method increases the water content of the conventional gel as taught by Nagura. There is no motivation to modify Nagura in view of Hermanson.

In addition, as shown by the Declaration, the water content of the claimed invention is an unexpected result over the prior art. Thus, claim 11 is not obvious over the prior art.

(4) Claims 15 and 16 have been added. The crosslinked high-molecular-weight products recited in claims 15 and 16 were described as working examples in the original specification. Since the claimed invention has an unexpected result over the prior art, claims 15 and 16 should be found non-obvious over the cited references.

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(5) Claim 4 was rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of copending U.S. application No. 10/543,156.

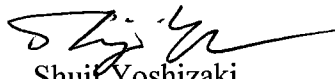
Claim 4 has been amended. At least because the feature newly incorporated in claim 4 is not obvious over claims 1-3 of copending U.S. application No. 10/543,156, claim 4 is not obvious over claims 1-3 of copending U.S. application No. 10/543,156. Withdrawal of the rejection is respectfully requested.

(6) In view of above, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date. If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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SY/mt

Enclosure: Declaration under 37 CFR §1.132